



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

December 2, 2008

VIA CERTIFIED MAIL 7007 1490 0000 0843 4126

Mr. Adolfo Velez, Director of Utilities
East Chicago Sanitary District
5201 Indianapolis Boulevard
East Chicago, Indiana 46312

Re: Approval of Renewal of
Solid Waste Facility Permit FP 45-31
East Chicago Materials Recovery Facility
and Transfer Station
Lake County

Dear Mr. Velez:

The permit renewal application for the above-referenced facility as received on March 12, 2007, has been reviewed and certified as meeting the requirements of IC 13-15-1-3 and 329 IAC 11-11-2. This permit renewal applies to the transfer station located at 2900 Gary Avenue, East Chicago in Lake County which contains approximately twelve (12) acres. The permittee or operator shall operate this facility according to the terms and requirements of this permit renewal letter and enclosures and the applicable statutes and regulations in effect on the effective date of this renewal. This facility permit renewal FP 45-31 will expire on December 1, 2013.

This permit renewal allows East Chicago Sanitary District to continue operating the facility subject to the terms of this letter and the enclosed requirements. In accordance with 329 IAC 11-11-4, solid waste facility permit FP 45-31 does not authorize: any injury to any person or private property; the invasion of other private rights; the infringement of federal, state, or local laws or regulations; nor preempt any duty to comply with other state or local requirements.

In order to continue operation past this permit's expiration date, a renewal application in accordance with 329 IAC 11-9-4 must be submitted at least one hundred twenty (120) days prior to the expiration date of December 1, 2013.

Pursuant to IC 4-21.5, a Petition for Review of this permit renewal letter may be initiated by you, as applicant, or by an "aggrieved or adversely affected person." This permit renewal becomes effective once all applicable time periods for petitioning for Stays of Effectiveness have expired, unless you are notified in writing by an Environmental Law Judge that the permit renewal has been further stayed. As discussed in our enclosed Notice of Decision, if you wish to challenge this decision, you must file a Petition for Review with the Office of Environmental Adjudication within eighteen (18) days from the date that this permit renewal letter was mailed, pursuant to IC 4-21.5-3-7.

Mr. Velez
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If you have any questions regarding this matter, please call (800) 451-6027, press 0 and ask for Kelly Hall, or ask for extension 3-0449 or call (317) 233-0449.

Sincerely,



Thomas Linson, Chief
Permits Branch
Office of Land Quality

Enclosure: Permit Requirements

Notice of Decision

Letter to the Post-Tribune

Letter to The Times of Northwest Indiana

Letter to the East Chicago Public Library

cc: Lake County Health Department (with enclosure)

The Honorable Roosevelt Allen, Jr., President, Lake County Commissioners (with enclosure)

Lake County Solid Waste Management District (with enclosure)

IDEM, Northwest Regional Office (with enclosure)

The Honorable George Pabey, Mayor of East Chicago (with enclosure)

The Honorable Richard Medina, President, East Chicago Town Council (with enclosure)

PERMIT REQUIREMENTS

- A. General Requirements**
- B. Closure/Post-Closure Requirements**

A. GENERAL REQUIREMENTS

- A1. The facility shall operate in accordance with the applicable requirements of 329 IAC 11.
- A2. The ground surface around the facility must be properly sloped, graded, and maintained to promote proper surface water run-off and to prevent ponding of water.
- A3. It is recommended that all required submittals be printed double-sided and sent via certified mail. An additional copy should also be submitted in Acrobat PDF format by CD, DVD, or other media acceptable to IDEM. All reports, notifications, ground water reports, and other information required to be submitted by this permit should be sent to:

**Kelly Hall
Indiana Department of Environmental Management
Office of Land Quality
Solid Waste Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**

- A4. The facility shall accept waste in accordance with 329 IAC 11-8-2.5, unless otherwise specified by this permit.
- A5. This facility is temporarily closed. The permittee shall comply with requirement B6 of this letter while the facility remains closed. If the permittee intends to reopen the facility, the permittee shall notify IDEM in writing 15 days prior to the reopening of the facility for waste processing and transfer activities.
- A6. The following requirements apply to insignificant modifications at the facility:
 - a. The permittee may not be required to apply for a minor or a major modification of the current permit from IDEM if proposing one of the insignificant modifications described in 329 IAC 11-2-19.5.
 - b. If the permittee proposes or is required to make one of the insignificant modifications described at 329 IAC 11-2-19.5, the permittee shall follow the procedures for an insignificant modification described at 329 IAC 11-9-6.
- A7. The facility that receives industrial process waste as defined in 329 IAC 11-2-17, shall comply with the requirements of 327 IAC 15-6.
- A8. No more than one thousand waste tires outdoors or two thousand waste tires indoors (whole or shredded), may be stored on-site at any one time. A waste tire is defined by 329 IAC 15-2-13.2. The permittee must store and manage waste tires in accordance with 329 IAC 15-3-17, 18, 19, 20, and 21.
- A9. The stockpiling and/or processing of mixed soil/garbage/trash debris (commingled waste) is not permitted, unless done in the former transfer station building and in accordance with requirements A10 and the letter received by IDEM on November 1, 2001.

A10. Processing of construction and demolition (C/D) materials and soils must be performed in accordance with the following:

- a. As described in the narrative contained in the "Response to Request for Additional Information", dated January 24, 2002, submitted by the City of East Chicago, and received by IDEM on January 29, 2002.
- b. As described in the narrative contained in the "Response to Request for Additional Information", dated May 2, 2002, submitted by the City of East Chicago, and received by IDEM on May 8, 2002.
- c. In the former transfer station building as identified on Drawing 1, titled "Facility Plan & Flow Diagram", prepared by Weaver Boos & Gordon, Inc., dated January 22, 2002, and received by IDEM on January 29, 2002.

A11. Wood processing must be performed in accordance with the following:

- a. As described in the narrative contained in the "Response to Request for Additional Information", dated January 24, 2002, submitted by the City of East Chicago, and received by IDEM on January 29, 2002.
- b. In the location identified on Drawing 1, titled "Facility Plan & Flow Diagram", prepared by Weaver Boos & Gordon, Inc., dated January 22, 2002, and received by IDEM on January 29, 2002.
- c. In compliance with applicable sections of the 1997 Uniform Fire Code.
- d. No later than ninety (90) days after stockpiling of the materials begins.

A12. The permittee must report the tonnage of wood and wood pallets received at the facility in the quarterly tonnage reports submitted to IDEM.

A13. Composting activities must be performed in the areas identified on Drawing 1, titled "Facility Plan & Flow Diagram", prepared by Weaver Boos & Gordon, Inc., dated January 22, 2002, and received by IDEM on January 29, 2002.

B. CLOSURE/POST-CLOSURE REQUIREMENTS

B1. The permittee must close and maintain the facility during the one-year post-closure period that:

- a. Minimizes the need for further maintenance;
- b. Controls post-closure escape of contaminants to the ground surface, surface waters, ground waters or the atmosphere;

- c. At a minimum is in compliance with all applicable requirements of this permit.
- B2. The permittee shall notify IDEM when the facility closes. The final closure of the facility shall be initiated within seventy-two (72) hours after receiving the final volume of waste. The following closure activities shall be performed at the facility during the final closure:
- a. Notification of all affected parties that the facility closed. A sign and reference of the nearest landfill or other processing facility may be established at the site.
 - b. Removal of all solid waste left or stored at the facility. The waste must be properly disposed of at a permitted facility. Removal of all storage containers and recyclable materials.
 - c. Clean-up of tipping floor and waste storage areas so they are free of waste and contaminated liquid.
 - d. Removal of wastewater holding tanks if applicable. The wastewater must be pumped out and properly disposed of in accordance with local, State, and federal statutes and rules.
 - e. Clean-up of septic tank if applicable.
 - f. Clean-up of sediment pond wherever applicable. Dredging of sediments may be necessary.
- B3. Waste that contains any significant putrescible component, or any other waste that may create pollution conditions, shall be removed from the facility within two (2) days of initiation of the facility final closure. All other closure activities shall be completed within ninety (90) days of initiation of the final closure activities.
- B4. The permittee shall submit to IDEM within thirty (30) days of closure a certification signed by the permittee which specifically identifies the closed facility and documents that the closure was performed in accordance with the above-listed conditions. The certification shall also include the facility contact person during the post-closure care period, the person's name, address, and phone number.
- B5. The final closure will be deemed adequate unless within ninety (90) days of receipt of the certification required in Requirement B4 of this letter, IDEM issues a request for additional information for final closure, including additional action which needs to be taken and the timetable for the necessary additional action.
- B6. The permittee shall perform post-closure care for one year at the facility following completion of closure activities. The following duties shall be implemented after closure of the facility has been certified and deemed adequate by IDEM:
- a. Inspection of the facility semi-annually followed by a written inspection report on the condition of the facility to be submitted to IDEM within thirty (30) days of the inspection.

- b. Maintenance of the facility surface water run-off control wherever applicable.
 - c. Maintenance of access control.
 - d. Removal of any waste that may be illegally dumped at the closed facility.
- B7. Within thirty (30) days of completion of the post-closure care requirements as specified in Requirement B6 of this letter, the permittee shall submit a certification statement signed by the permittee that the post-closure care requirements have been met. The post-closure certification will be deemed adequate unless within ninety (90) days of receipt of the certification, IDEM issues a request for additional information for post-closure, including action necessary to correct the deficiency.
- B8. Subsequent to the completion of post-closure, the owner or operator of a closed facility or the owner of real estate upon which a closed facility is located shall be responsible for immediately correcting and controlling any nuisance conditions occurring at the facility.
- B9. The permittee shall adequately fund closure and post-closure of the facility. Until final closure of the facility is certified, the permittee must annually review and submit to IDEM the updated financial closure and post-closure estimate no later than June 15 of each year. As a part of the annual review, the permittee must revise the closure and post-closure estimates as listed in 329 IAC 10-39-2(c)(1)(A) and (B) and/or for any changes in the facility plans that may increase the cost of closure or post-closure.
- B10. The permittee shall maintain financial responsibility of closure and post-closure similar to that provided for in 329 IAC 10-39.

The sum used for funding of the closure and post-closure of the facility shall be forty-eight thousand dollars (\$48,000), based on four thousand dollars (\$4,000) per acre or fraction of an acre and the facility acreage. The permittee may revise the cost estimates by submitting a detailed cost analysis for closure and post-closure of the facility. The revised cost estimates must be approved by IDEM prior to the implementation of any changes in the originally approved fund. However, the sum of the closure cost estimate and post-closure cost estimate shall not be less than four thousand dollars (\$4,000) per acre or a fraction of an acre covered by the permitted facility.

